

IN THE UNITED STATES BANKRUPTCY COURT
FOR THE EASTERN DISTRICT OF PENNSYLVANIA

IN RE: Raymond J. Large Andrea M. Romaniello CITIMORTGAGE, INC. v. Raymond J. Large Andrea M. Romaniello and William C. Miller, Esquire	18-17639-ELF Chapter 13 Proceeding Respondents
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**MOTION OF CITIMORTGAGE, INC.
FOR RELIEF FROM THE AUTOMATIC STAY**

AND NOW, comes secured Creditor, CITIMORTGAGE, INC.(Movant) by and through its counsel, POWERS KIRN, LLC, (Harry B. Reese on behalf of the firm), hereby requests that the Court grant it relief pursuant to 11 U.S.C. §362(d) from the automatic stay of 11 U.S.C. §362(a) due to lack of equity in debtor(s)' property and debtor(s)' failure to provide Movant with adequate protection of its interest in the property which is the basis of the creditor's security.

1. On or about November 16, 2018, Debtor(s) filed a Chapter 13 Bankruptcy Petition.
2. The Debtor(s) has/have executed and delivered or is/are otherwise obligated with respect to that certain promissory note in the original principal amount of \$600,000.00 (the "Note"). A copy of the Note is attached hereto as **EXHIBIT A**. Movant is an entity entitled to enforce the Note.
3. On 01/31/2007, the debtor(s) executed a Mortgage to Movant and/or Movant's assignor (recorded 03/22/2007 at Book 04058 Page 0156) and secured by the property located at 3219 Hamilton Ln, Boothwyn, PA 19061 a/k/a 3219 Hamilton Ln, Garnet Valley, PA 19061 referred to as the "Property". (**EXHIBIT B**). All rights and remedies under the Mortgage have been assigned to the Movant pursuant to an assignment of mortgage (**EXHIBIT C**).
4. As of 12/04/2020, the total owing to Movant is \$641,739.86.
5. Per Debtor's Schedule A/B, the approximate value of the property is \$712,449.90 (**EXHIBIT D**).
6. As of 12/04/2020, the debtor(s) is/are in arrears post petition for 3 monthly payments, from October 1, 2020 through December 1, 2020 at \$4,429.39 per month, less Debtor's suspense of \$2,429.39 The total post-petition arrearage is **\$10,858.78**.
7. Pursuant to 11 U.S.C.A. section 362(d)(1) and (2), CITIMORTGAGE, INC. is not adequately protected and will suffer irreparable injury, harm and damage if relief from the stay is not granted.

WHEREFORE, Movant respectfully request the Honorable Court ORDER:

That Relief from the Automatic Stay be granted to CITIMORTGAGE, INC. to proceed with foreclosure action to obtain all other Relief available under Non-Bankruptcy law. And that Bankruptcy Rule 4001(a)(3) is not

applicable and Movant is allowed to immediately proceed with foreclosure and all other relief available under the Non-Bankruptcy law. Furthermore, Movant respectfully requests that reasonable attorneys fees and costs associated with this Motion be awarded to Movant.

RESPECTFULLY SUBMITTED,
POWERS KIRN, LLC

By: /s/ Harry B. Reese

Harry B. Reese, Esquire

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Attorney for Movant

18-0888

Dated: December 30, 2020